

**UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF NEW YORK**

MANUEL BOLIVAR, ANDRES RUBIO and)	
JANNETH QUINTERO, individually and on behalf)	
of all those persons similarly situated,)	
)	
Plaintiffs,)	CASE NO.: 12-CV-00781
)	
v.)	ECF CASE
)	
FIT INTERNATIONAL GROUP CORP., FOREX)	
INTERNATIONAL TEAM INC., JAIRO)	JURY TRIAL DEMANDED
ENRIQUE SANCHEZ, and DILIA MARGARITA)	
BAEZ,)	
)	
Defendants.)	
)	

REQUEST FOR ENTRY OF DEFAULT

Plaintiffs, Manual Bolivar (“Bolivar”), Andres Rubio (“Rubio”) and Janneth Quintero (“Quintero”) (collectively the “Plaintiffs”), pursuant to Rule 55(a) of the Federal Rules of Civil Procedure and the Local Rules of the United States District Court for the Southern District of New York, hereby request that the Clerk enter defaults against Defendants, FIT International Group Corp., Forex International Team Inc., Enrique Sanchez and Dilia Margarita Baez (collectively the “Defendants”), for failure to plead or otherwise defend against this action. In support thereof, the Plaintiffs state as follows:

1. The Complaint in this action was filed on February 1, 2012.
2. Forex International Team Inc. was served in this action on February 16, 2012, with service being accepted by the New York Secretary of State on that date. A copy of the Return of Service is attached to the Declaration in Support of this Motion as “Exhibit A.” Forex

Internationalthe Team Inc. was required to appear or otherwise respond to this action by March 8, 2012.

3. On March 21, 2012, FIT International Group Corp. was personally served with a copy of the Summons and Complaint. A copy of the Return of Service is attached to the Declaration in Support of this Motion as “Exhibit B.” FIT International Group Corp. was required to appear or otherwise respond to this action by April 11, 2012.

4. Thereafter, on January 22, 2014, the Plaintiffs filed their Motion for Service by Publication, together with supporting documents, thereby requesting to serve Defendants Enrique Sanchez and Dilia Margarita Baez by publication in Columbia.

5. On April 10, 2014, this Honorable Court entered its Order granting Plaintiffs’ Motion for Service by Publication and ordering the Plaintiffs to arrange for publication of the Summons in the Columbian newspapers El Tiempo and El Espectador once a week for four weeks.

6. Pursuant to this Court’s April 10, 2014 Order, the Summons for Defendants Enrique Sanchez and Dilia Margarita Baez were published in the El Espectador newspaper on May 9th, 12th, 19th and 26th. Copies of the Proofs of Publication are attached to the Declaration in Support of this Motion collectively as “Exhibit C.”

7. Further, the Summons for Defendants Enrique Sanchez and Dilia Margarita Baez were published in the El Tiempo newspaper on May 17th, 21st, 25th and June 4th. Copies of the Proofs of Publication are attached to the Declaration in Support of this Motion collectively as “Exhibit D.”

8. To date, the Defendants have failed to plead or otherwise defend against this action and the pleading to which no response has been made by the Defendants was properly

served on the same. Further, the Defendants have not been granted any extensions of time to respond to the Complaint.

9. Defendant, FIT International Group Corp., is a Florida corporation with its principal place of business in Miami, Florida and as such, it is not an infant, in the military, or an incompetent person.

10. Defendant, Forex International Team Inc., is a New York corporation with its principal place of business in this judicial district and as such, it is not an infant, in the military, or an incompetent person.

11. Defendants Enrique Sanchez and Dilia Margarita Baez are residents of Bogota, Columbia, and they are not infants, in the military of the United States, or incompetent persons.

12. Accordingly, the Plaintiffs request that the Clerk of this Honorable Court enters defaults on the Defendants for their failure to plead or otherwise defend against this action in a timely manner. Further, the instant request is based on the attached Declaration, which is annexed hereto as "Exhibit A." A proposed Certificate of Default is submitted for the Court's convenience.

WHEREFORE, the Plaintiffs respectfully request that the Clerk of this Honorable Court enters defaults against Defendants, FIT International Group Corp., Forex International Team Inc., Enrique Sanchez and Dilia Margarita Baez for their failure to plead or otherwise defend against this action as required by law, together with such other relief as this Honorable Court deems just, necessary and reasonable.

September 18, 2014

Respectfully submitted,

KACHROO LEGAL SERVICES, P.C.

/s/ Dr. Gaytri D. Kachroo

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BAEZ,)
)
Defendants.))

CASE NO.: 12 Civ. 00781 (PGG)

CLERK'S CERTIFICATE

I, RUBY J. KRAJICK, Clerk of the United States District Court for the Southern District of New York, do hereby certify that this action commenced on February 1, 2012 with the filing of a summons and complaint, a copy of the summons and complaint was served on defendants by serving Defendant Forex International Team Inc. via the Secretary of State, Defendant FIT International Group Corp. personally, and Defendants JAIRO ENRIQUE SANCHEZ, and DILIA MARGARITA BAEZ by publication (Court Order, D.E. 15) (STATE SPECIFICALLY HOW SERVICE WAS MADE ON DEFENDANT), and proof of such service thereof was filed on March 28, 2012 and August 27, 2014, respectively.

I further certify that the docket entries indicate that the defendants have not filed an answer or otherwise moved with respect to the complaint herein. The default of the defendants is hereby noted.

Dated: New York, New York

RUBY J. KRAJICK
Clerk of Court

By: _____
Deputy Clerk